

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS - Developmental Disabilities

**ACT#:** 16-1SS

**SECTION#:** 3

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP - DEVELOPMENTAL DISABILITIES SERVICES. It is hereby authorized for the Department of Human Services - Division of Developmental Disabilities Services for the ~~2003-2005~~ 2005-2007 biennium, that of the extra help positions authorized herein for the Department of Human Services - Division of Developmental Disabilities Services, 89 of those positions, when utilized in a manner which is reimbursable under Title XIX or other federal funds, are specifically exempt from limitation of hours, either by Act or Regulation.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS - Developmental Disabilities

**ACT#:** 16-1SS

**SECTION#:** 12

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

DEVELOPMENTAL DISABILITIES - GRANTS TO COMMUNITY BASED PROVIDERS. Funds allocated under the appropriation for community-based services, for Grants to Community Providers, in the Developmental Disabilities Services - Grants-in-Aid appropriation in this act shall be used only to provide services through private community based services licensed or certified by the Arkansas Division of Developmental Disabilities Services (DDS). Non-profit community-based programs licensed by the Division of Developmental Disabilities Services are quasi-governmental instrumentalities of the state which provide supports and services to individuals who have a developmental disability or delay, who would otherwise require supports and services through state-operated programs and facilities owned by the State of Arkansas. When DDS licensed providers are involved in delivering services which are Medicaid reimbursable, they must enroll as a provider with the Arkansas Medicaid Program and must bill the Arkansas Medicaid Program for all covered services for eligible individuals.

Services which are covered by the Arkansas State Medicaid Program or under the Alternative Community Services Waiver Program (ACS) will be utilized to the maximum extent possible for any individual who is eligible for Medicaid coverage. It is the intent of this section that DDS, as a general policy, maximize the use of Medicaid funding available for appropriate services.

The State shall require each provider funded from this Appropriation for community based services, including funding from the

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CONTINUE CURRENT LANGUAGE WITH APPROPRIATE DATE CHANGES

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### **EXECUTIVE RECOMMENDATION**

Grants/Patient Services Line, in the Developmental Disabilities Services - Operations appropriation, the Early Intervention Line, in the Developmental Disabilities Services - Operations appropriation, or from the Grants to Community Providers Line, in the Developmental Disabilities Services - Grants-in-Aid appropriation, to screen each individual to whom services are provided for a determination of eligibility or ineligibility for Medicaid coverage within thirty days of the first date that services are provided. It is the intent of this section to insure that wherever possible and appropriate, Medicaid funds are utilized for covered or waived services to individuals who are eligible for coverage under the Arkansas Medicaid Program or the ACS Waiver.

Nothing in this Act shall prevent the Division or any provider from extending emergency services when appropriate measures have been taken in a timely manner to secure Medicaid eligibility.

~~In the event that components of community based services now funded from state and/or federal funds are extended to unserved or underserved areas of the state, or in the event that new services categories/codes are made available, to be funded from state and/or federal funds all non-profit community programs licensed by the Division of Developmental Disabilities Services shall be granted an opportunity to make application to expand their service base to unserved or underserved areas or shall be granted an opportunity to make application to offer new services that the State intends to offer. When the Division of Developmental Disabilities Services determines that state and/or federal~~

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~~funding for new or expanded services are to be available, it shall develop a Request for Proposal (RFP) process which includes a provision to provide notice of its intent to existing providers and to the general public. Nothing in this Act shall restrict the Division's discretion to award new or expanded services to the existing community based service providers making application for the same pursuant to this section. The intent of this section is to avoid unnecessary duplication of administrative costs and services in the extension or expansion of services.~~

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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**EXECUTIVE RECOMMENDATION**

DEVELOPMENTAL DISABILITIES - VOCATIONAL TRAINEES. The Division of Developmental Disabilities Services of the Department of Human Services is hereby authorized for the ~~2003-2005~~ 2005-2007 biennium to provide employment opportunities for people with developmental disabilities residing at the Human Development Centers who work less than a competitive employment level.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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**SECTION#:** 14

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DEVELOPMENTAL DISABILITIES - CARRY FORWARD. The unexpended balances in appropriations made from federal funds, for Developmental Disabilities, as provided for in this Act on June 30, ~~2004~~ 2006 shall be carried forward and made available for expenditures for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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### **EXECUTIVE RECOMMENDATION**

GRANTS IN AID-CONDITIONS FOR RECEIVING FUNDS. Private nonprofit community based programs licensed by the Department of Human Services, Developmental Disabilities Services, are eligible to receive funds appropriated for Grants to Community Providers in the Developmental Disabilities Services - Grants-in-Aid appropriation of this Act, and as a condition of receiving such funds they shall:

1. Meet minimum standards of performance in the delivery of services to people with disabilities as defined by the Department of Human Services, Developmental Disabilities Services.
2. Supply statistical and financial data to the Department of Human Services, Developmental Disabilities Services.
3. Establish and maintain a sound financial management system in accordance with guidelines as set forth by the Department of Human Services.
4. Establish and maintain community support programs designed to provide coordinated care and treatment to ensure ongoing involvement and individualized services for persons with disabilities. Every community support program shall provide services for persons with disabilities who reside within the respective area of the program.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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**SECTION#:** 16

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

DEVELOPMENTAL DISABILITIES – TIMBER AND LAND SALES PROCEEDS - CAPITAL IMPROVEMENTS AND EQUIPMENT. The Division of Developmental Disabilities Services is authorized to have cash fund accounts for capital improvements to physical plants and for the purchase of capital equipment, and for the operation of the six human development centers operated by the Department of Human Services, Division of Developmental Disabilities Services. The cash funds shall be held by the Department of Human Services, Division of Developmental Disabilities Services from the proceeds of the sale of land and the sale of timber that may be harvested from land owned by the Division of Developmental Disabilities Services. The sale of land and the harvesting of timber is specifically authorized to provide funds to finance capital improvements to the physical plants, for the purchase of major capital equipment, and for the operation of any of the six human development centers from which the land or timber is sold.

The Division of Developmental Disabilities Services shall report all income derived from the sale of land and timber management to the Chief Fiscal Officer of the State and the Arkansas Legislative Council. Any contracts initiated for the sale of land or the harvesting of timber shall be submitted to the Review Subcommittee of the Arkansas Legislative Council for prior review. All expenditures of funds derived from the sale of land and the sale of timber will be expended in accordance with relevant state purchasing laws.

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The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

~~HUMAN DEVELOPMENT CENTERS AND COMMUNITY PROVIDERS:~~

~~(A) The Developmental Disabilities Services Board or the Department of Human Services shall not close any of the state administered Human Development Centers that provide therapy and residential services.~~

~~(B) The Department of Human Services shall continue to accept clients for whom it has determined that therapy and residential services are needed at state administered Human Development Centers and Community Programs licensed by DDS shall continue to accept clients for whom it has been determined in accordance with federal law that are in need of services in the community.~~

~~(C) Except for use as federal matching funds, no funds for community based services licensed by DDS shall be transferred from Grants to Community Providers line item of the Developmental Disabilities Services Grants in Aid unless the transfer(s) directly benefits community based services for persons with developmental disabilities or from the appropriation for the Human Development Centers unless the transfer(s) directly benefits the Human Development Centers.~~

~~(D) Nor shall any general revenue funding as of March 1, 2003 from the Grants to Community Providers line item of the Developmental Disabilities Services Grants in Aid appropriation for persons with developmental disabilities or from any other general revenues as of March 1, 2003, applied as federal matching funds for community based services licensed by DDS on March 1, 2003 be~~

### **EXECUTIVE RECOMMENDATION**

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~~reduced below the approved funding level on March 1, 2003 2005; nor shall the general revenues applied as federal matching funds for the Human Development Centers be reduced below the approved funding level on March 1, 2003.~~